

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRIAN C. SCHWAGER,	:	
Plaintiff	:	No. 1:23-cv-01732
	:	
v.	:	(Judge Kane)
	:	
JESSICA KEITH, <u>et al.</u>,	:	(Magistrate Judge Schwab)
Defendants	:	

ORDER

Before the Court is Magistrate Judge Schwab’s October 24, 2023 Report and Recommendation (Doc. No. 5) recommending that the Court transfer Plaintiff Brian C. Schwager (“Plaintiff”)’s complaint against Jessica Keith and G. Chesney (“Defendants”), to the United States District Court for the Eastern District of Pennsylvania. On November 1, 2023, Plaintiff filed a copy of the Report and Recommendation, with a handwritten note contained therein. (Doc. No. 6.)¹ Plaintiff maintains that “Jessica Keith G. Chesney is her [full] name” (id.), referring to the Report and Recommendation’s description of Jessica Keith and G. Chesney as separate defendants in the above-captioned action. The Court construes Plaintiff’s note to be a timely objection to the Report and Recommendation. However, because Plaintiff’s note fails to provide the Court with sufficient information to determine whether Magistrate Judge Schwab’s Report and Recommendation contains the proper names of the defendants in this action, and because Plaintiff’s note provides no basis for the Court to question the Report and

¹ Plaintiff’s notation on the Report and Recommendation was filed in the United States District Court for the Eastern District of Pennsylvania. See (Doc. No. 6 at 6 (containing a letter from the Clerk of Court for the United States District Court for the Eastern District of Pennsylvania explaining the forwarding of Plaintiff’s note to this Court)). For reference, Plaintiff’s note is postmarked November 1, 2023. (Id. at 7.) The aforementioned letter from the Clerk of Court for the United States District Court for the Eastern District of Pennsylvania, is dated November 6, 2023. (Id. at 6.) The Clerk of Court for this Court received and docketed this filing on November 13, 2023. (Id. at 1.)

Recommendation's determination that venue lies in the United States District Court for the Eastern District of Pennsylvania, the Court will overrule the objection.

AND SO, on this 17th day of November 2023, upon independent review of the record and the applicable law, **IT IS ORDERED THAT**:

1. The Court **ADOPTS** Magistrate Judge Schwab's October 24, 2023 Report and Recommendation (Doc. No. 5);
2. Plaintiff's objection (Doc. No. 6) is **OVERRULED**; and
3. The Clerk of Court is directed to **TRANSFER** the above-captioned action to the United States District Court for the Eastern District of Pennsylvania and **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania